

In re Appl. No. 09/144,851

REMARKS

Claims 1-31 presently appear in this case. No claims have been allowed. The Official Action of June 14 and the Advisory Action of November 15, 2000, have now been carefully studied. Reconsideration and allowance are respectfully urged.

Claims 13-? Are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

This rejection is respectfully traversed. Claim 14, which relates to reduction of the citric acid content by acid treatment, finds support in the specification as filed at page 5, lines 12-21. Additionally, new claims 21-31 have been filed in order better to define the invention. Support for these new claims can be found in the specification as filed as follows:

Claim 21 is based upon the disclosure concerning pH condition in the last paragraph on page 5, and page 6, lines 1-12.

Apple juice and grape juice as diluents are disclosed on page 6, line 17.

Resins are disclosed on page 6, lines 8-9.

In re Appl. No. 09/144,851

Claim 29 is based upon the disclosure of page 9, liens 7-17.

Claims 1-10 and 13-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner alleges that the scope of the phrase "alkaline agent" is unknown.

This rejection is respectfully traversed. It is respectfully submitted that one skilled in the art would readily recognize "alkaline agent" as being a substance which, when added to a solution, raises the pH of the solution, or when in solution by itself, has a pH greater than 7.

In view of the above, it is respectfully submitted that the claims are now in condition for allowance, and favorable action thereon is earnestly solicited.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.

By: 

Anne M. Kornbau

Registration No. 25,884

Telephone No: (202) 628-5197

Facsimile No: (202) 737-3528

AMK:nmp

f:\,t\toda\kato15\pto\prelim amend